

SENATE BILL 334

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2003 Regular Session
3r1510
CF 3r0551

By: **Senators Teitelbaum, Astle, Dyson, Exum, Hafer, Hollinger, Kelley,
Klausmeier, McFadden, and Pinsky**
Introduced and read first time: January 31, 2003
Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Health Care Foundation - Maryland Medbank Program -**
3 **Extension and Funding**

4 FOR the purpose of extending the termination date of the Maryland Medbank
5 Program administered by the Maryland Health Care Foundation; authorizing
6 Maryland Medbank Program funds to be used to distribute medication to
7 enrollees under certain circumstances; requiring the Governor to include in the
8 annual budget bill a certain appropriation for a certain purpose; providing for
9 the termination of this Act; and generally relating to the Maryland Medbank
10 Program administered by the Maryland Health Care Foundation.

11 BY repealing and reenacting, with amendments,
12 Article - Health - General
13 Section 15-124.2
14 Annotated Code of Maryland
15 (2000 Replacement Volume and 2002 Supplement)

16 BY repealing and reenacting, with amendments,
17 Chapter 134 of the Acts of the General Assembly of 2001, as amended by
18 Chapter 153 of the Acts of the General Assembly of 2002
19 Section 12

20 BY repealing and reenacting, with amendments,
21 Chapter 135 of the Acts of the General Assembly of 2001, as amended by
22 Chapter 153 of the Acts of the General Assembly of 2002
23 Section 12

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
25 MARYLAND, That the Laws of Maryland read as follows:

1 **Article - Health - General**

2 15-124.2.

3 (a) (1) In this section the following words have the meanings indicated.

4 (2) "Foundation" means the Maryland Health Care Foundation
5 established under § 20-502 of this article.6 (3) "Program" means the Maryland Medbank Program established under
7 this section.

8 (b) There is a Maryland Medbank Program.

9 (c) The purpose of the Program is to improve the health status of individuals
10 throughout the State who lack prescription drug coverage by providing access to
11 medically necessary prescription drugs through patient assistance programs
12 sponsored by pharmaceutical drug manufacturers.13 (d) (1) Subject to paragraph (2) of this subsection, the Program shall be
14 administered by the Foundation.15 (2) The Foundation shall contract with one or more government or
16 nonprofit entities to operate the Program.17 (e) (1) The administration and operation of the Program shall be funded
18 through a grant provided by the Department.

19 (2) Program funds may be used in part to:

20 (I) [purchase] PURCHASE interim supplies of prescription drugs
21 for enrollees who have applied to participate in a manufacturer's patient assistance
22 program but have not yet received the approved prescription drug; AND23 (II) DISTRIBUTE MEDICATION TO ENROLLEES WHO HAVE BEEN
24 APPROVED TO PARTICIPATE IN A MANUFACTURER'S PATIENT ASSISTANCE PROGRAM.25 (f) (1) The Foundation shall ensure that the Program is available to
26 residents in each of the following geographic regions of the State:

27 (i) Western Maryland;

28 (ii) The Eastern Shore;

29 (iii) The Baltimore metropolitan area;

30 (iv) The Maryland counties in the Washington, D.C. metropolitan
31 area; and

32 (v) Southern Maryland, including Anne Arundel County.

1 (2) The Foundation shall use Medbank of Maryland, Inc. and the
2 Western Maryland Prescription Program as the regional offices for the Baltimore
3 metropolitan area and Western Maryland, respectively.

4 (g) Eligibility for the Program shall be limited only by the criteria established
5 by pharmaceutical manufacturers for their patient assistance programs.

6 (h) (1) The Foundation shall require detailed financial reports at least
7 quarterly from the entities that operate the Program.

8 (2) The Foundation shall release funds to the entities that operate the
9 Program as needed and justified by the quarterly reports filed in accordance with
10 paragraph (1) of this subsection.

11 (i) On or before December 1, 2001, and annually thereafter, the Foundation
12 shall report to the Governor and, in accordance with § 2-1246 of the State
13 Government Article, to the General Assembly, on the status of the Maryland Medbank
14 Program established under this section, including:

15 (1) The number and demographic characteristics of the State residents
16 served by the Program;

17 (2) The types and retail value of prescription drugs accessed through the
18 Program;

19 (3) The nature and extent of outreach performed to inform State
20 residents of the assistance available through the Program; and

21 (4) The total volume and retail value of each brand name drug, by
22 manufacturer, accessed through the Program.

23 (J) FOR FISCAL YEAR 2005 AND EACH FISCAL YEAR THEREAFTER, THE
24 GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF
25 AT LEAST \$3,000,000 TO THE DEPARTMENT FOR TRANSFER TO THE FOUNDATION FOR
26 THE SOLE PURPOSE OF MAKING ONE OR MORE GRANTS TO ENTITIES TO OPERATE
27 THE PROGRAM AS PROVIDED IN THIS SECTION.

28 **Chapter 134 of the Acts of 2001, as amended by Chapter 153 of the Acts of**
29 **2002**

30 SECTION 12. AND BE IT FURTHER ENACTED, That Section 3 of this Act
31 shall take effect July 1, 2001. [On] IT SHALL REMAIN EFFECTIVE FOR A PERIOD OF 5
32 YEARS AND, AT THE END OF June 30, [2003] 2006, with no further action required by
33 the General Assembly, Section 3 of this Act shall be abrogated and of no further force
34 and effect.

**Chapter 135 of the Acts of 2001, as amended by Chapter 153 of the Acts of
2002**

3 SECTION 12. AND BE IT FURTHER ENACTED, That Section 3 of this Act
4 shall take effect July 1, 2001. [On] IT SHALL REMAIN EFFECTIVE FOR A PERIOD OF 5
5 YEARS AND, AT THE END OF June 30, [2003] 2006, with no further action required by
6 the General Assembly, Section 3 of this Act shall be abrogated and of no further force
7 and effect.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 July 1, 2003. It shall remain effective for a period of 3 years and, at the end of June
10 30, 2006, with no further action required by the General Assembly, this Act shall be
11 abrogated and of no further force and effect.